

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

February 23, 2022

Chairman Domenic Pane called the regular February 23, 2022 Zoom meeting to order at 7:00 p.m.

I. **PLEDGE OF ALLEGIANCE**

II. **ROLL CALL AND SEATING OF ALTERNATES**

Commissioners Present

Chairman Domenic Pane
Commissioner Anthony Claffey
Commissioners Bryan Haggerty
Commissioner Garret Havens
Commissioner David Lenares
Commissioner Jonathon Twister
Commissioner Stephen Woods
Commissioner Hyman Braverman-A
Commissioner Stuart Dzod-A
Commissioner Thomas Gill-A

Commissioners Absent

None

Staff Present

Renata Bertotti, Town Planner
Erik Hinckley, Asst. Town Planner/ZEO

III. **APPROVAL OF AGENDA**

Renata Bertotti: There are no other changes, like you said, there were a couple of changes that when we added a couple of documents after the agenda went out, we did not include in your physical packet the copy of the traffic report because it was too voluminous, so we had to e-mail that document out to you, and that was posted with the packet on line, the traffic report for Petition 04-22. We also did not include in the original packet the version that included (inaudible) that was added, I believe on Thursday or Friday and then yesterday we amended the agenda to exclude the application 06-22, site plan modification at 33 Charles Street for the Weber and Dorine Carroll applicants. So that petition was withdrawn yesterday.

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IV. **PUBLIC PARTICIPATION** (For items not listed on the agenda; speakers limited to two minutes.

None

V. **REMARKS BY COMMISSIONERS**

None

VI. **PUBLIC HEARING:**

- A. Petition 03-22: Special Permit (Sec. 3.2.1) to allow a church at 245D New Britain Avenue., Applicant and Contact: Sherly Navarez Owner, Newington THAI LLC.

Commissioner Lenares recused himself from the petition since he is the abutting property owner that shares an easement with this property.

Chairman Pane seated Commissioner Gill for Commissioner Lenares.

Sherly Navarez: Hi, the church will operate Tuesday, Thursday, and Saturday in the afternoon. The services are from 7:30 to 9:00, 9:30. What else do you need to know?

Chairman Pane: Would you go over the days and the hours of operation again?

Sherly Navarez: Okay, it's Tuesday, Thursday, and Saturday. The services start at 7:30 to 8:00, a night service, and sometime it's like 9:30 in the morning. The service is like two hours, two and a half, three days a week.

This is a little church, little people because I come and decided to put in a church because they have a church in Haiti, Columbia, so now we are starting here, and that is why it is a little one now, I'm starting this here. I am a paster, but in different places, so I come to the church and then put somebody here and then I am moving, that is my work.

Chairman Pane: There are not a lot of parking spaces there, but it appears that at night you will be okay. You realize that you don't have permission to park at the abutting property, it's only a cross easement, you do realize that?

Sherly Navarez: Yes, usually the parking, I have like 22 spaces for the parking, but the businesses are operating during the day and, the pizza place, that is take out, and the other places close at 6:00 p.m. so that is why we have the 22 and my church is little so I don't have more than 15 or 16 people.

Chairman Pane: Thank you.

Erik Hinckley: So I did the parking calculation based on what she told me, 16 people and it is in the staff report that says there should be enough parking there, even with an overlap in business hours at some point in time, there should be sufficient parking with the 15 or 16 attendees per service, so this site plan was priorly approved by the Commission for four units in this building, and it was mixed use at the time, and then the parking spaces that exist currently are what was approved and they were appropriate at the time.

Chairman Pane: There is probably room to expand from the four parking spaces since the hours of operation are different than the other tenants, correct?

Erik Hinckley: I think I put in the staff report that a couple of the businesses close between six and seven, the pizza place is open later and I believe the tattoo shop is open until nine on some days and they do appointments as well, so at time there could be some overlap.

As Mr. Lenares pointed out, there is a cross access easement to access the property with the adjoining property at 431. As you point out, the people at 425 address can't be parking on the other property.

Chairman Pane: Thank you for clarifying that again. Do the Commissioners have any questions for Erik or the applicant? Any questions from the Commissioners? Is there anyone from the public wishing to speak in favor of this application? Anyone wishing to speak in opposition? Is there anyone wishing to speak. If there are no objections from the Commissioners, I would entertain a motion to close this public hearing.

Commissioner Havens moved to close Petition 03-22. The motion was seconded by Commissioner Woods. The motion passed unanimously with seven voting YEA.

Commissioner Lenares returned to the table and Commissioner Gill returned to Alternate status.

- B. Petition 04-22: Special Permit (Sec. 3.19.2) to allow a residential development in the PD Zone at 227 Pane Road and 253 Maselli Road, Applicant and Contact: Timothy Hanzy, Owner, White Birch Crossing LLC.

Chairman Pane: At this time I'm going to turn the meeting over to Vice-Chairman Claffey. I am a property owner in this application, and I am recusing myself. I am recusing myself as I have always done on any vote involving my property. In response to the e-mail from Mr. Sweeney I am not the applicant, myself and Mrs. Linda Aieta are the sellers of this property and our involvement with the property ends there. I do not know what my property has to do with Culver Street, the Culver Street property and this made up conspiracy and false gossip that several people have been shopping around town is inconsiderate, offensive, and disrespectful to me and the other members of this board. Vice-Chairman Claffey, you have the meeting now.

Vice-Chairman Claffey: The petition has been read in, Petition 04-22, and before I move forward I would ask the Town Planner if she would just explain very briefly, basically the special exception and how the special exception later on information on the site plan may come into this

discussion as about to be presented and if you would Renata, just quickly how the Commission can act on just the special exception, even though we may, as a Commission hear the presentation about a site plan later in the agenda.

Renata Bertotti: Every special permit application comes with a requirement that it be submitted with an associated site plan, so each time you have a special permit application, the Commission may require that a site plan be submitted with it. Each time a special permit requires the development or associated with any kind of a development plan, you get a site plan with it. The applicant will, in a minute, essentially ask you if you would like to have a presentation presented to you essentially together, if you would like to hear the whole presentation presented to you together, whether you want to hear a special permit and the site plan presentation presented to you as one. The subject of the public hearing is a special permit application. The site plan application is administrative. It is an application that, if it meets the regulations, essentially it has to be approved. The Commission does not have discretionary rules, as it does with a special permit application. So, the applicant, once they ask you, you will have a choice to say, yes, please present it to us together, or you can say, no, please present to us just the special permit application, and in that case, they will present special permit with some aspect of the site plan, because you still have to, in order to understand the development have some elements of the site plan, and then you will have a site plan presentation presented to you, as a separate presentation later on. What is important to understand is as a Commission, when you vote, to distinguish between what is pertinent to the special permit and what is pertinent to the site plan. The public, the normal person does not, who doesn't deal with these kind of things do not know that, so the public will, when they hear the presentation, probably will comment on matters that belong to the special permit as well as the site plan, but you as a Commission must make a distinction between which belongs to which part of this application.

Vice-Chairman Claffey: I will go briefly to Commissioner Woods.

Commissioner Woods: Just a point of order, while the Chairman stepped out of the meeting, and I think he did so appropriately, no one was officially appointed to

Vice-Chairman Claffey: You are right, I apologize, it's on my list, thank you. I will seat for Chairman Pane, Stuart Droz for the meeting. I'll give the floor to the applicant to present Petition 04-22.

Francis Baca: I'm a professional engineer for the BSC group in Glastonbury, Connecticut. I'm here on behalf of Smith Henzy Developers. I have with me this evening, Mr. Timothy Henzy, he is one of the principals of Smith Henzy and I also have on the call today Paul Bailey and Susan O'Dell, they are both representatives of Paul B. Bailey Architects who are responsible for the development of the building architecture and I also have representatives from Hardesty Hanover who are the engineers responsible for the development of the traffic study associated with this parcel.

We are here to present "The Pike" which is a Pane road residential development at 227 Pane Road and 253 Maselli Road. At this point I would like to turn it over to Mr. Henzy, as the developer to just give a brief explanation of the building program and the development and to touch on the master plan of the development associated with this, which is one of the requirements of Section 3.19.2.

Vice-Chairman Claffey: To the Commissioners, do you want to hear these two things together like our Town Planer had asked, or do you want them separate? In the past, there have been a few exceptions, but we have run things like this together, and then we just know that we have to vote them separately.

Commissioner Woods: I think we could hear them together, they do mix, and it's much easier to hear them as one than it is to separate it.

Vice-Chairman Claffey: Anybody else? Hearing no one and seeing no hands, proceed, thank you.

Tim Henzy: Thank you to the Commissioners for hearing our proposal. My name is Tim Henzy and I'm the owner of Smith-Henzy. We are apartment developers, we own about 1800 apartments in New York and Florida and we have another 1700 under construction or developed. We, my background, I grew up in Wethersfield, and my house, I could see the Berlin Turnpike from my bedroom, so it's deeply ingrained within me, I appreciate its history, and what it means to Newington and Wethersfield, and as a developer building apartments in multiple states, what we are learning that people want to live in areas that obviously provide direct access to retail and commercial development. When we were looking at this site, and we saw that access, combined with a detailed market study, looking at what is happening in surrounding communities with residential development, we saw this as an excellent opportunity to provide Newington with something that was needed, as well as to provide people with much needed housing in the area. One of our missions as a company is that we do a lot of work force and affordable housing, and one of the things that we try to do here is incorporate ten percent affordable housing to people who have 80 percent of the area income. That benefits Newington's requirement to the state to provide ten percent of their housing stock as affordable. We are, and we will get into the details of it, we're building 151 apartments, these are high end finishes, the building is being designed to be energy efficient with energy stars certification. This again will have nine foot ceilings, open floor plan apartments, there will be amenities including a furnished lobby, a gym, a community room, and an outdoor area that you saw in one of the pictures earlier. We are excited about this project, we think it will be highly desired in the community, we love the location. My background is in urban planning before I was a developer and I look at this as a great opportunity for the Town seeing what is being developed, in Connecticut and across the country is anticipated about what people want and what can be provided.

Frank Baca: All right, as was discussed, we are here this evening to request the approval for, at least for the public hearing portion, under Section 5.2, special permit, under Section 3.19.2 for a

residential development in the PD Zone and it has been already spoken about as a component with the site plan approval so we can get to that in the future.

I wanted to give a brief explanation of the property, just to familiarize people who may not have seen. This is Pane Road, the Berlin Turnpike is cut off a little on the right hand side. It's only approximately 500 feet from this area. We have SHUCO International to the north of the parcel, to the west is the Kamatsu, Newington; and to the east is Sam's Club and to the south and then Stew Leonards is to the southeast.

I'm going to focus, because I know we have both the special permit and the site plan, I'm going to focus on the special permit requirements so that we are all on the same page with the public hearing portion.

Some of the requirements for the special permit is, a minimum site of five acres. The, this is the boundary line associated with the property, the overall size of the property is 5.203 acres. I know that is awfully detailed, the reason for the detail is, the residential density is one unit per 1500 square feet, so we have a total of 151 units. When you do the math, multiply them out, it is exactly 5.20 acres for a maximum density, so have insured that we fit the residential density for the property.

The layouts of the buildings as shown here, there are two. It's, this is going to be building A, the northern building, it's L shaped. This is the southern building, it is also L shaped and they are essentially mirrored. We have included one of the other requirements for the special permit is recreation space, it's 200 square feet per dwelling unit, so we have included a large pedestrian terrace that is going to be screened from the adjacent property and then we are utilizing portions of the lot frontage with shade trees as a green open space. We have satisfied the requirements of the zoning regulations recreation area with these areas. It is a four story building as been presented earlier, so it's four stories, there is no basement level which is another requirement of the special permit, there is no residential units in the basement, 151 units. The property has full access to the sun on both sides, so as the sun comes from the east to the west, it shines on one building equally as it shines on the opposite building in the afternoon. There are 240 spaces that are represented on the parcel as shown here. That meets the requirements of the, I know there have been recent changes to the zoning regulations and we insured that all of the parking spaces meet that unit count, the 240. The have included 25 handicapped spaces which is actually greater than the number required for Connecticut building code. We have included additional handicapped spaces because there are a number of additional handicapped accessible apartments on the ground floor, so we have a row of the handicapped right along this curve, we have a row along this curve, and then we have an assortment along the back of the building B, as shown right here.

We have coordinated all of this development with the Town Planner, we have met with her on multiple occasions, and I know that one of the critical items, and we have received comments back, one of the critical items was insuring that we have fire department circulation throughout the entire parcel, so I have, I got the information about the largest fire apparatus for the Town, we ran that throughout the entire parcel, and we have the ability to access through the courtyard area, come back down and to exit. There have been some additional comments that we are going to address with the response with our engineering comments, and we will add some additional turnings to make sure that we have access throughout the entire property and throughout the building associated with fire department access and circulation.

The dumpster for the property is located over in this area. It is fully screened. It has, at this point either a six to eight foot vinyl screening fence with a double enclosure. It is two units, one for recycling, one for trash and then we will have the circulation flow pattern for that as the waste vehicle will enter the site, circulate around the bottom half of the parking area here, be able to remove trash, and then exit.

Utilities for the site, which are another component of the special permit, we have, we received a letter from MDC that indicates that there are adequate fire suppression services available on Pane Road and on Maselli. I believe it is a 24 inch water main and they did not have any concerns as far as providing fire support service for this. As part of their requirement for a four story building, we do need stand pipes in the building, so we have ensured that there will be stand pipes provided for all of the stairwells in the two buildings. We have provided fire department connections so there would be a connection in this location on the building adjacent to the mechanical room, and there will be another fire department connection adjacent to this mechanical room here, and both have direct access to the street which then the fire department does not need to enter the site to reach the fire department connections.

One comment that was addressed by the Fire Marshal, he addressed it to us that we have already taken care of is there was a request for an additional fire hydrant provided for the bottom of the property and we have included that in the latest set of plans that you have seen. It's going to come off of Maselli Road, along this path and it will ultimately connect in and it will be located somewhere in the vicinity, the northern end of this I shaped parking island, in this location for direct access for the fire department.

There is a ten inch sewer main along Pane Road, up on the side. It is substantially lower, about ten and a half feet below grade, so we have no issue as far as getting to sanitary with greater than a two percent slope so we aren't cutting it too close in that regard. Then, detention systems, we have the overall site is, we have reduced the peak flow from the site, so it is as if this parcel doesn't exist from a storm water design standpoint. I know there was a question at one point about drainage calculations. The drainage calculations for the site have been provided however the details of the underground detention systems have not been provided. That is part of the engineering comments that I mentioned earlier, they will be responded to. We received them after we sent this information back to the Commission last Thursday, so all of those comments will be addressed and sent back to Engineering for formal approval. We do not have any concern with any of the comments that they have laid out to us, we are going to address all of those comments, in addition to the comments received from Erik and the Town and the comments from the Fire Marshal.

There is a monument sign, currently proposed. It is going to be in accordance with the Town standard, the 75 foot square foot and 75 foot on either side to the maximum 150. We don't have a formalized design yet, that is still under discussion, but we do know that it will be in accordance with the standard, all of the lighting will be, there won't be any up lighting or that type of stuff. That will be finalized and coordinated and that will be addressed with the town should anything change, but we will meet the requirements of the regulation.

We are using all LED energy efficient lighting, these are the current styles that we are showing so there is a wall mount, there are a few wall mount locations over some of the egress doors associated with the property, the smaller light that you see here is one of the bollard lights that will be located throughout the terraced area, and then these would be, they are 16 foot LED

traditional style lamp posts, so that would be all of the areas represented in yellow on the plan. We ran a photometrics of the plan, they will be formally updated when we respond to the engineering comments, but I can guarantee you that none of the lights that have been shown in the proximity of the boundaries, will have any throw over the boundary of the property. So there will be zero candlepower exiting the property.

As far as landscaping for the property, we are utilizing, we have ensured that all of the landscape islands throughout the interior portions meet the requirements of the town regulations which is why it is shown as it is. We have low shade trees that are placed throughout the entire property to minimize the heat island effect within the parking areas, we have a substantial amount of like shrub type bush area landscaping along the buildings to break up the feel along the buildings themselves, we have plantings and so on throughout the terrace area. I will note these are not all going to be Japanese maples, they are just, to represent a smaller type shrub type tree throughout this area, and again, as I mentioned earlier, we are providing full screening with our landscaping around the terrace area for privacy for residents utilizing this area. Street trees along the boundaries, and then we have provided screening trees along the western portion of the property to screen any of the adjacent property, the Kubota dealer to the adjacent side. Screening, appropriate screening around utilities, these are the locations of the transformers, we have to maintain a certain distance for Eversource access but they will be screened to the best that we can, the best of our ability in this case. There will be a six foot white vinyl fence along the southern property line to provide screening from the adjacent commercial development to the south.

Snow storage locations, I know that has always been a critical issue. We will be utilizing a large number of the end island portions of the lot to be used for snow storage. There will be, we have specifically located a lot of the lampposts away from ideal locations for snow storage and then we have also in house landscape architecture at BSC and I confirmed with them that there is not an issue with us placing the snow adjacent to any of the trees that are located, the shade trees on the islands, and then the clearing of the courtyard area, we are utilizing the smaller portion on our property, over here to be some of the snow storage location, to be transferred over there, again, ideally ensuring that we maintain access for fire vehicles.

I would like to mention, and later when we have the representatives from Herzay Honover speak briefly on the traffic, there is a right turn in, right turn out requirement for access onto Pane Road. This Pane Road access is actually provided for the site to ensure that we maintain, to meet the requirements of zoning to make sure that we have a connection onto, I don't remember the exact language but it is making sure that we have a connection for our site onto a street that is directly connected to the Berlin Turnpike which is why we have maintained this access, but due to its proximity to the intersection and due to the queuing that could potentially occur as a result of people turning left into the site, we are going to mandate that this be a right turn in, right turn out condition. There was a comment from Gary, the engineer regarding the access to this to make sure that this actually works. We are modifying the layout of this to ensure that we have direct access from the fire vehicle, as well as providing a full six inch curb for the right turn out, to maintain to the best of our ability a condition where we will not have left turning out or left turning in. That design is being finalized and will be included with the response to the comments from the engineer. I have spoken to Gary about it, I have reviewed

all of the remainder of his comments and I do not have a concern as far as addressing the remainder of his comments.

At this time, I would like to turn the floor over to Mr. Greg DelRio of Hardesty Hanover, he is going to give a brief explanation of the traffic study that was performed. I know that is always a hot button issue, so he will review that.

Greg DelRio: So we conducted a traffic study of the adjacent roadways and intersections, including the intersections to the east and west along Pane Road. We looked at the weekday and weekend peak hours. We conducted our field observations and our trip generation for this type of residential development and our analysis indicated that there was no significant impacts to the traffic operations. To minimize any potential impact, the site design with the two access points, which was mentioned, one of them, off of Pane Road with a right in, right out only, meaning no left turns in or out of the site, for a smooth operation along Pane Road, which has a higher volume than Maselli, and then we have a full movement access drive off of Maselli Road itself, which has much lower volume than Pane Road, it will be much easier to get in and out of Maselli. No traffic impacts were identified. Although there were no impacts I might add, due to the development, our study did include potential adjustment to the signal at Church, Pane and Church intersection which is to the west which would improve the overall operations, especially for the west bound approach, so those are being considered going forward. That is a quick summary of the traffic issues.

Frank Baca: Thank you, and regarding the comment on the signal, the traffic signal timing, that is being considered as part of something that can be done for the future development. That was the whole presentation, obviously I focused most it on the special permit, I do have some additional items that I could go over for the site plan review at that time, but at this point, this is the extent of our presentation for the special permit. Thank you all for your consideration.

Vice-Chairman Claffey: Thank you, I appreciate your presentation of the special exception. At this time, I would like to turn it over to Renata to give us the information that she has, for us to discuss, any engineering, any other planning stuff and go from there.

Renata Bertotti: First of all, this was a review of the site plan as well, and this application as of right now we do have some comments that are outstanding. They are minor and technical in nature and the applicant is aware of these comments, and have agreed to address them. For the most part, and in general terms, there are some drainage comments, some inconsistency in notes on the plans for the engineering department, there was some discussion, as you heard with the traffic consulting and our engineering department and there is some agreement on those as well, so whatever our engineering department has provided to the applicant will be addressed and the Commission could effectively make a decision tonight if you want to, and we are prepared to essentially recommend a motion, subject to staff memos.

We have some minor comments on the zoning end, which were already addressed. Previously there was one unit too many which caused them to exceed their density limitations. They removed that one unit, in order to meet the density limits, so that now meets the zoning requirements, overall speaking this proposal, what is important to understand here is that this is

a use that is allowed under special permit in this zoning district, so you are looking at a residential use that can be permitted if the application meets the criteria of the special permit that are outlined in your regulations. So, you are to consider the testimony that you heard tonight with regards to impact on traffic, in regards to whether or not you feel that this use fits, the use, I believe that it could actually trend this neighborhood from being predominately industrial to perhaps become a little bit more mixed use, and be a little more something different. The one thing that we are learning as time is moving with these uses, is that there is, there seems to be a need for more flexibility in regards to how uses fit. There seems to be more desire for people to live near shopping, near where the main thoroughfares are, so that seems to be what is driving these developments in the locations where they are, so that I guess have to contribute to this conversation.

Vice-Chairman: At this time I would like to open up any questions that Commission members have for the applicants and/or Renata.

Commissioner Haggarty: I have a question for the traffic engineer. Does your analysis take into consideration the development going in 3333 Berlin Turnpike?

Greg DelRio: Yes we did. That is included in our background traffic. The existing traffic levels, we grew them with the background growth, and in addition to the background growth, we include 3333 development.

Commissioner Trister: I have a question about the traffic as well. You mentioned that the figures were based on a projected growth rate of 2024, and the way I understood it, it was based on a .7 growth rate, which was like the state figure. I was curious as to whether that factors in sort of, I know it's touch to figure out who is not driving because of Covid, but is there any extra wiggle room in the projected growth for the potential of more people being on the road as we come out of the pandemic.

Greg DelRio: The process was, we look at the historic traffic counts, where we can overlap and compare traffic counts historically, and then we would adjust for a Covid factor. However, lately because traffic has come back, and they have actually advised that this is the new normal, so, but we still look at it, just to make sure that certain sites and certain places aren't completely out of wack and may still require the adjustment, so that is the decision, and that is the process.

Commissioner Woods: My question also has to do with traffic, but this, the signalization on Church Street. Can you give a little more detail on what you would do to help improve that intersection? Is it just re-timing of the light that is there now, would there be right turn, left turn lanes added, or is it just signalization?

Greg DelRio: It's just signalization, it's optimizing the signal right now. It's borrowing a little time from some of the movements that don't require it, and just sort of balancing all of the movements and mainly giving a little more time to the west bound approach, which needed it the most.

Commissioner Woods: Can you tell me, would it change the dynamics of the intersection as far as improving it? One percent, two percent, five percent, twenty percent?

Greg DelRio: We gave them two options, one borrows a little bit of time from some of the other movements and improves the average for the westbound by ten seconds; and then there was a more aggressive sort of shifting around of phasing which resulted in a more significant improvement and reduction of delay in the order of twenty to twenty-five seconds, average and that is per vehicle. That is a pretty large improvements, and it actually improves the whole level of service, going from level of service E to level of service D.

Commissioner Gill: In regards to the traffic also, the new signalization on the Berlin Turnpike, is that going to tie in with the Church Street signalization?

Greg DelRio: No, they are not coordinated. The two intersections are separate, so Berlin is coordinated with the signals along the corridor and Pane Road is far enough away so they are acting as isolated intersections.

Vice-Chairman Claffey: I have a question about traffic, just because I haven't seen it, or I didn't hear it directly from you, when was, specific dates that the traffic study was done, and I really just want it put on the record for tonight.

Greg DelRio: Let me take a look.....December 2021.

Vice-Chairman Claffey: Do anyone else from the Commission have any questions for Renata or the applicant?

Commissioner Trister: I have one quick question, as regards to the school district that this is located in, is it the same school district as 3333?

Erik Hinckley: I believe that it is.

Renata Bertotti: Honestly, I believe that it is, but I think the age of the school.....

Commissioner Twister: I was thinking elementary.

Erik Hinckley: It's the Patterson and Wallace District, yes.

Commissioner Haggarty: The trees and the landscaping to the west of the property, how tall are those trees going to be, just you know, you are on the third or fourth floor looking out your window, you are going to be looking at that Kabota dealer, is there a concern for that, or how tall are those trees going to be?

Fran Baca: I think, if I remember correctly, the zoning requirement call for a four foot high tree. Now I recognize in that case it is not going to be tall enough to screen for someone living in the

apartment complex, but there is also the issue where we have insured that all of our access are farther than five feet away from the property line, per zoning regulation, but it is tight, in certain situations where if we were to use a taller tree we run into the situation where you are going to have the tree growth over the top of the property line, which technically can't be, you can't specify that in the beginning, although it does happen, but we had to keep the plantings as screening as possible, but making sure they stay on our property the entire time.

Vice-Chairman Claffey: I do have one question, one last wrap up, we spoke, does anyone have any exact concerns on the special permit side of this, or any more discussion in general as TPZ Commissioners? Is there any further discussion? Any other questions?

Commissioner Braverman: Question has to do with, how will this development and 3333 Berlin Turnpike impact the voter roles?

Vice-Chairman Claffey: I don't know if we have ever been asked that. I don't exactly know the make up of how they calculate how many occupants may live here based on age, maybe they have some rule of thumb, I know they do for schooling, when they calculate how big a building is going to be, but, do you break it down by age, or just say, hey, it's going to be 151 units with one person, Renata, do we have anything that you have seen in the past?

Renata Bertotti: So in this town, this is currently a matter that is being discussed at the Town Council level, but it is not a zoning matter. It isn't anything that is pertinent to your decision. It is not pertinent to the special permit nor to the site plan. How will it affect the voting districts I do not know. I guess that is a question for the registrar of voters. It's not really valid for what you are voting on.

Vice-Chairman Claffey: I want to make sure all of the Commissioners have all of their questions answered before I open it to the public. At this time I would like this public hearing, anyone who would like to speak in favor of this application? Again, anyone I favor? Now, I'll open it to the public for anyone who is in opposition to this petition 04-22.

Renata Bertotti: If nobody raises their hand, we did receive a couple of letters by e-mail, so if no one speaks, with you permission I will read these.

Gail Budrejko: I'm not in favor or again it, I just have a question. There are going to be 151 units here, presumably there will be children, young professionals, whatever, and as the applicant stated, developments like these are sought after because of the proximity to retail, commercial. I'm family with Pane Road, but I'm not really familiar with Maselli, but that location is near Sam's Club and Stew Leonards, are there sidewalks, because I would imagine that people from this development would want to walk to those locations versus driving. I'm just not sure, if there are sidewalks, and if there isn't, what is the traffic on those roads, because I'm sure people will be walking to those commercial

Vice-Chairman Claffey: In answering some of that, I would like to say, I don't think, I have yet to see any sidewalks on Pane Road currently and I don't think I have seen any on Maselli, other than at the end, way down by the entry at Maselli, there is a little bit of sidewalk for Sam's Club I think. I think it just part of the way it was built. I might be wrong on that..... I don't think there was a requirement for sidewalks in the special permit.

Gail Budrejko: I'm just curious as to, because I'm sure that will happen and I was just wondering.....

Renata Bertotti: I think if we are considering sidewalks, we need to consider them in a more general overview. One of the things, as a town that we should to is formally develop and adopt a sidewalk, a town wide sidewalk plan.

Vice-Chairman Claffey: I don't think it is relevant in this presentation.

Erik Hinckley: I believe the Chairman is correct. There are none on Pane Road, and this is Maselli Road that takes you back into Sam's Club, and Stew Leonards.

Vice-Chairman Claffey: I don't think Ms. Budrejko, that it is relevant to this discussion, due to the fact that there is not any precedent to this presentation.

Gail Budrejko: Thank you.

Vice-Chairman Claffey: I would like to have the Town Planner read into the record the communications that were received.

Renata Bertotti: We received two e-mails, one of them came from Mr. Douglas Sweeney. "Hi, my name is Douglas Sweeney, 10 Little Brook Drive, Newington, Connecticut. I am opposed to the application 04-22 Special Permit under Section 3.19 to allow a residential development in the PD Zone at 227 Pane Road and 253 Maselli Road and I would like this e-mail read into the record at the February 23, 2022 public hearing. The height of the town planning and zoning commission is according to the state's website that registers business concerns, and there is a conflict of interest. Even a judge must recuse himself to avoid the appearance of impropriety. (Then there is a link to a website on CT.gov) then, the e-mail continues to say, rule 1.2 of the Code of Judicial Conduct states that a judge shall act in all times in a manner that promotes public confidence in the impartiality of the judiciary and should avoid improprieties of the appearance of impropriety, and then there is another link ([HCTPS judge.CT.gov committee/admin/2013-16 HCM](https://www.judge.ct.gov/committee/admin/2013-16/HCM)) Number two, the zoning charge for the Culver Street apartments should be revisited in the light of this application. Thank you. Douglas Sweeney, 10 Littlebrook Drive, Newington, Connecticut.

The second e-mail came from Mr. Matthew Rossi: Please read this into the record of tonight's meeting. Dear Ms. Bertotti and Town Planning and Zoning Commission. I am writing to you tonight because I am unable to attend this meeting on Petition 04-22. I do not think this area is appropriate since children (unable to understand) This section of Pane Road is all business and

Industrial. I know that the developer has said that it will attract empty nesters, and young professionals but that is what every other developer has said, or claimed, in their write-ups. With so many of these four story developments I don't believe that there are that many people that fit into that category to be able to occupy them all. Because of this, I also think that you have to take into consideration that there can be two students for each two bedroom apartment. When you take this into consideration, that the amount of taxes collected covers the expense of the occupants, will it cover the educational needs? I think not. Finally, the common argument that is often given by the developers is that this is the responsibility of the town to figure out. Well, that responsibility starts tonight by not passing Petition 04-22. Thank you. Matt Rossi.

Vice-Chairman Claffey: Thank you, and I want to give back the time, I know they were read into the record, but if the applicant has any rebuttal to that, feel free, you have your allotted time. It's up to you if you would like to rebut those that were read into the record, but not present.

Tim Henzy: We do not have a response to those. Thank you.

Vice-Chairman Claffey: With no objection, I would like to see if anyone would like to make a motion to close Petition 04-22. Close it and move it to Old Business.

The motion to close Petition 04-22 and move it to Old Business was made by Commissioner Woods and seconded by Commissioner Havens. After a roll call vote, the motion passed unanimously with seven voting YEA.

Renata Bertotti: May I just ask a clarifying question, did you move both items, the special permit and the site plan to Old Business. What I mean by that is, will there be no other questions, because if there are no questions for the site plan, I will move the site plan off of the New Business agenda and there will be no opportunity to ask any more site plan related questions, so you will have your deliberations but no more questions of the applicant, so if the Commission is satisfied with everything that happened, then we can just move on and have this under Old Business. If you think you may still have some outstanding questions on the site plan, then we can keep that under New Business.

Vice-Chairman Claffey: I'm going to open that.

Commissioner Woods: I would like to leave it open, the site plan. I do have some other questions, I know we were going to try to take them together but I think Frank said he wanted to go into a little more detail on the site plan, so I just have a few questions I would like to ask after they make their presentation on the site plan.

Vice-Chairman Claffey: I will leave it as stated, and only move the special permit 04-22 to Old Business and then we will continue as normal for the site plan.

Does that answer your question Ms. Town Planner.

Chairman Pane returned to the table and was reseated and Commissioner Droz returned to alternate status.

C. Petition 51-21: Zoning Text Amendment (Sec. 7.4.6) to modify the driveway site plan design standards, Applicant and Contact: Newington TPZ.

Renata Bertotti: This proposal is to modify a section that deals with a site plan design standard and one part of it is just essentially clarifying a section in the regulations that sort of, we have two sections that conflict with one another, so as we are processing these applications we received a couple of questions from applicants asking us, which one is right. Is the text in the regulation correct or is the picture that also includes the same regulation illustrating these requirements? So the town interpreted this picture to be how our parking requirements, this is like on commercial parking where we would require this, so the particular thing that I am talking about is, if you look at the entrance into the parking lot, the section that says 28 feet, and then it narrows to 24 feet, or it narrows to 18 feet, it's like an angled parking lot. Those are the questions that we are trying to clarify, so this picture is what we normally interpret, this is how the zoning officer interprets this regulation. If you look into the text, the current text on 7.4.6 of your regulation, it says the driveways shall be at least 28 feet, from the face of the curb so this language that continues at 24 or 18 as shown in Section 6.11.C is the text that I added. So I essentially just said it is going to be 28 and then it will narrow as shown in this picture. So this is just to clarify the text, the picture and to make sure that everything is clean and we have no ambiguous text.

The second part of the proposal is this section F, and under Section F, our current requirement is to require that the on the intersecting streets and driveways be required, the radius of the gutter to be 25 feet. So currently, what you are looking at on your screen is the modified, the proposed text. Under our current regulation we require that gutter radius be 25 feet. So we have, when we were reviewing National Welding's site, 690 Cedar Street, they came back to us and said, this is too much, this kind of 25 feet requirement is what you require between two streets. This is not acceptable. So, I contacted my colleagues, public works director in Meriden and I contacted another engineer that I worked with in Wethersfield, and talked to them about that, and they agreed. They said, that does sound too much. Normally it depends, sometimes you require less if it is a certain use and a different kind of use, you require more. Then, Gary Furstenburg, our Town Engineer, our Fire Marshal and myself discussed this and this radius of the gutters depends of the use of the property, so we said, okay, when it is a residential driveway to a street intersection it is appropriate to have a five foot radius, but on a street to street intersection it is appropriate to have a 25 foot. So we said, let's take a range. Let's do five to twenty-five and then have us actually look at this on a use by use basis so that we can review this and determine which one is appropriate because it is going to be really something dependent on the usage. So this allows a regulation that is more appropriate because it is really, the fixed numbers don't work. It depends on the circumstance, and they just don't work. So, that is this proposal, originally as you may recall when I first came to you with this proposal I had the idea to reduce the width of the driveway to 22 feet. Our Town Engineer commented that he wasn't comfortable, he recommended that we keep that to 24, and I think somebody on the Commission also wasn't comfortable reducing that to 22, so we ditched that idea and took it back to 24, back to where it is anyway, so this will just fix a small thing in the regulations and one of the small texts that I think will help a little bit.

Chairman Pane: Thank you. It is something small but I can see where this could be very helpful for apply it to different sites depending on the use, so I can understand this completely and at this time I will open it up to the other Commissioners if you have any questions for our Town Planner? Seeing none, we will go directly to the public hearing. Is there anyone from the public wishing to speak in favor of this? Is there anyone wishing to speak in opposition to this application?

Renata Bertotti: Just before you close the hearing, I want to report on the CRCOG report. I'm required to do that under the regulations. This was sent to CRCOG and they said that they reviewed it and found no conflict with regional plans or policies or concerns of the neighboring towns.

Chairman Pane: One last time does anyone from the public wish to speak?

Commissioner Haggarty moved to close Petition 51-21 and move it to Old Business. The motion was seconded by Commissioner Woods. After a roll call vote, the motion passed unanimously with seven voting YEA.

VII. APPROVAL OF MINUTES

Commissioner Woods moved to approve the minutes of the February 9, 2022 Special Meeting and the February 9, 2022 Regular Meeting. The motion was seconded by Commissioner Claffey. The vote was unanimously in favor of the motion, with seven voting YEA.

VIII. NEW BUSINESS

Chairman Pane reclused himself from Petition 04-22 Site Plan and Commissioner Droz was seated in his place.

- A. Petition 04-22: Site Plan Approval for a residential development in the PD Zone at 227 Pane Road and 253 Maselli Road, Applicant and Contact: Timothy Henzy, Owner; White Birch Crossing, LLC.

Vice-Chairman Claffey: I would like to have the applicants present the site plan discussion. I know we discussed this a little, but if there is anything more that we have heard, please feel free to take a few moments to present to us the site plan of 04-22.

Frank Baca: Actually Commissioner Woods, I apologize, I pretty much did the majority of everything. I guess the only clarifications, based on the last conversations, we do have 25 foot radii into the site to ensure that all works. I'm looking through the components of Section 5.3.3 right now, and all of the other components, Sections one through seven of that I believe I have addressed in the previous explanation. I do not believe, the only one I may have forgotten is item six, suitability of building design to the site. We have ensured that the building fits inside the site in such a way that it achieves the full view of the sun and then it has been sized that it

fits within all of the relevant setbacks associated with the property. Beside that, I do not have any further information to provide to the Commission.

Vice-Chairman Claffey: I will ask our Town Planner, in regards to the site plan, I think it has been discussed but I just want to reiterate and reverify before I head to the Commissioners if Renata has anything else to add.

Renata Bertotti: I will at least say that all of the comments that we have are minor and technical in nature, the applicant is aware of that, and has agreed to address them. Aside from some discussion in regards to adjusting timing in one of the intersection traffic lights, all of the other comments are really site plan anyway, so all of the other comments that we have are related to the approval of this site plan.

Vice-Chairman Claffey: Thank you.

Commissioner Woods: Just a couple of questions, the first one is, is there a reason why you didn't entertain installing sidewalks on Maselli Road, and the second question, if the architect is still here, can we get brief description of the actual materials like siding and what it is going to be made of, on the buildings? I'd like to know that.

Frank Baca: I can start with the comment on the sidewalks. It was looked at in the beginning, however due to what was discussed earlier in the public hearing, there are no other sidewalks in the adjacent area. The, I would love to say that I am pedestrian focused, and I am with the majority of what I do, however the way that the layout of the adjacent areas, immediately adjacent to the building, are not conducive to pedestrian access. It is anticipated, based on our analysis that the majority of the trips, exiting the property will be by vehicle. As much as I hate to say that is the case, but that has been the main focus, and the drive associated with the use of the Berlin Turnpike in this area. That was the main reason why sidewalks were not pursued to be, to move forward.

Commissioner Woods: Pane Road, that makes perfect sense to me, I guess I'm just trying to look at that point of connection, and I realize you can't make it all the way, but you can get partially there, and then it becomes the town's responsibility to try to make that connection to that shopping center that is to the south. It's not a deal breaker to me, but I would like to see that. I just think it would help, and I would agree with you, I think most of the traffic is vehicular, but there would be that walking connection and I would just feel better if we could get pretty close to that intersection, and I believe on the north side of that parking lot, and I don't know why they are there, but I believe there are sidewalks on that north side of the development. That's what I'm looking for and then, the building material, what you plan to use on the building.

Paul Bailey: The materials are called out on the elevations that we have submitted. I think I would like to have the front view, but I'm happy to go through them. I'm just going to read off of the elevation sheet, the angled cap is a metal cap flashing, that is at the top of the building. Some of the details are metal trim, the brick which you see on the lower sections of the exterior

is meant to be actual brick. There is a bell course above the brick which is intended to be pre-cast concrete and the rest of the siding, you see the wood type color on the top of the brick and then there are other siding next to the wood like siding, which is a darker reddish, a brown reddish color. They are called out to be a lookavon, plus panel system which is metal and composite, so it will be something like that. Lookavon is expensive and I know that it might not make it to the end, but it will be something similar to that. It is a metal system. The windows will be solid vinyl, the intention here is they will be black, the iron gate that goes into the meter area is called out to be wrought iron but it is not going to be true wrought iron, it will be a wrought iron look. It will be aluminum probably, and that will be black also. I believe I touched on all the exterior materials, and if you have any questions I'll be glad to answer them.

Tim Henzy: What we are trying to do is to capture a more modern look that would be transitional to the neighborhood, especially given the surrounding uses. We're not going with the traditional kind of colonial look that you see on all of the apartment buildings, but also, not ultra modern, kind of a in between, to fit the area, the character of the area and, but we will obviously, this is the look we are going for, it's got to be high end, it's got to be great, we definitely have a contrasting look with the brick, but we feel it is a very active building that will be a good addition to the area.

Vice-Chairman Claffey: Thank you.

Fran Baca: The metered areas that Paul was identifying are on the ends of area, so we have a gas meter area and an electric meter area that will be fully screened and enclosed with gate access so that there will be no visible meters on the perimeters of the building to main the aesthetics of the building.

Tim Henzy: There is actually a brick wall there, you can see the L-shaped, the wrought iron looking gate is only like four feet wide, so you can close it off, but the electrical company or the gas company can still get in there if necessary.

Commissioner Woods: I had the opportunity to review this, and I saw most of this when I reviewed the plans, but the public doesn't, and this is the opportunity for you to kind of sell this project, so the best way is to really go into detail. I think you have done a nice job to be honest with you. I think it looks very, very good, but I just wanted to get that put on the table so that you can hear that we are asking the right questions. I think you have done a really good job. I like the way that you are hiding the meters, instead of doing a temporary fence you have a brick wall going up, that is going to be permanent, it's going to last 20 or 25 years, instead of a fence possibly being there for five or six, falling down, maybe being put back up, maybe not. There are a lot of nice touches on the building, again, I wish you luck, I think you have done a good job. Thank you.

Fran Baca: Thank you. I could go on for hours about this, but I don't think that you want me to.

Commissioner Woods: This way, if someone was, if they sign onto this meeting in a day or two, they can kind of get an idea of what it is going to look like, and I appreciate your time. Thank you.

Commissioner Droz: Quick question, one of the presenters had mentioned a discussion of snow plowing and snow storage. I'm seeing a couple of different views, the print that I was given is from January 25th, and it shows four different snow storage areas, two on each of the southern most corners, one large one, the island in the middle there, kind of looks like a double mushroom in the middle there, and then one on the back. The print that I have shows a tree on each of the corners, then you have the light post it looks like on each end, and obviously you have cars on either side, each of the southern corners have a light post on the apex of the turn, so my only question is only going to be, who did we discuss this with from a snow storage aspect because all of your street view drawings show you're beautiful, I mean, I love the drawings, I love the design, it looks gorgeous, so kudos to that, but it shows more plantings at ground level so with as tight as that parking lot is, what was going to be the long term plan for snow that wasn't going to reduce parking spaces?

Tim Henzy: If you are talking about the three dimensional renderings, we hire a professional renderer and they don't necessarily follow the landscape plan in there. So they take some artistic license with it. That is not an accurate reference. It's an artist's representation, if that is what you are looking at. I just wanted to make that point.

Commissioner Droz: Thank you. That's one thought process, but basically it is going to come down to, you were going to put all of the snow from the entire lot into those four spots?

Fran Baca: The courtyard area, any of the ground plantings have been specifically engineered to be able to withstand any snow storage. Now I recognize that the snow storage for this entire area cannot go in these three spots, so we have allocated the lower portion of the lot over here to also be utilized for some of the snow storage for this area, as well as portions of the I shaped island here, the plantings that are represented in the middle here, again, the low brush plantings are all specifically engineered to be able to withstand snow storage, with the exception of the evergreens, but the evergreens are in the center of the island and they will withstand whatever is placed there.

Commissioner Gill: In regards to the addresses here, showing here as two different addresses, is that going to be the two different buildings that are going to have different addresses.

Fran Baca: I believe in coordination with the surveyor on the property, there were originally two parcels, 227 Pane and then 253 Maselli, there has been a lot combination and there will now be a single lot. This was designed to be a single lot. The buildings themselves will be designated as presumably an A building, and a B building, but we are not designating, we have not designed this to be separate lots at this time.

Commissioner Gill: Okay, the suggestion is to have one address for the site, is that possible?

Fran Baca: Yes. That is the intent, presumably it is going to be 227 Pane Road.

Tim Henzy: Different states and different municipalities have different rules, and post office sometime have different rules, one address would be wonderful, and then the designation of the buildings, A building, or an east or west, but that is something we have to look into.

Erik Hinckley: If I could, that is typically coordinated through the Town Engineer, he assigns the addressing in Newington, so you can coordinate that with Gary when you get to that point.

Commissioner Gill: Okay, then I see you have a sign, a site sign listed here.

Fran Baca: The monument sign and the details? That sign is technically a place holder, however what I want to reiterate to the Commission is that the site sign will be designed in accordance with the regulations so it will have 75 foot, 75 foot square foot on either side, max 150 square foot. The placeholder is to represent an idea of what the scaling of this sign would look like, but the finalized design has not been finalized yet and we will end up going to the Commission for the sign, for whatever is finally determined to be used for the sign.

Commissioner Gill: It's not a regulation to have the address of the building on the sign, but I would like to see that.

Vice-Chairman Claffey: That can be addressed when they present it Commissioner Gill, which comes later. I agree with what you are saying, I think the sign, in the future should incorporate the address for visibility for all parties.

Are there any other questions from the Commissioners in regards to this petition?

Commissioner Woods moved to close Petition 04-22 and move it to Old Business for possible Action. The motion was seconded by Commissioner Havens. After a roll call vote, the motion passed unanimously with seven voting YEA.

- B. Petition 06-22: Site Plan Modification at 33 Charles Street, Applicant, Contact and Owner: Gary Weber and Dorine Carroll.

Withdrawn

Chairman Pane returned to the table, and Commissioner Droz returned to Alternate status.

IX. OLD BUSINESS

Commissioner Lenares recused himself from Petition 03-22 and Commissioner Gill was seated in his place.

- A. Petition 03-22: Special Permit (Sec. 3.2.1) to allow a church at 425D New Britain Avenue., Applicant and Contact: Sherly Navarez Owner, Newington Thai LLC.

Commissioner Gill moved approve the special permit for a church at 425D New Britain Avenue.

Reason for Approval

As proposed, the application meets the special permit requirements as in Section 5.2 of the regulations.

The motion was seconded by Commissioner Claffey. After a roll call vote, the motion passed unanimously with seven voting YEA.

Commissioner Lenares returned to the table and Commissioner Gill returned to alternate status.

- D. Petition 51-21: Zoning Text Amendment (Sec. 7.4.6) to modify the driveway site plan design standards, Applicant and Contact: Newington TPZ.

Commissioner Woods moved approve the regulation amendment with an effective date of March 8, 2022.

REASON FOR APPROVAL

The proposed regulation amendment clarifies the design standards for driveways for site plans.

The motion was seconded by Commissioner Havens. After a roll call vote the motion passed unanimously with seven voting YEA.

Chairman Pane recused himself from Petition 04-22 and Commissioner Droz served in his place.

- B. Petition 04-22 Special Permit (Sec. 3.19.2) and Associated site plan to allow a residential development in the PD Zone at 227 Pane Road and 253 Maselli Road. Applicant and contact, Timothy Henzy, Owner, White Birch Crossing, LLC.

Commissioner Woods moved to approve the special permit and associated site plan at 227 Pane Road and 253 Maselli Road with conditions as in the Town Engineer's comments in letters dated 2-16-2022 and 2-23-2022 and comments from the Fire Marshal.

Reason for the approval

As proposed this application meets the specific permit requirements in Section 3.19.2 and 5.2 of the regulations and site plan requirements in Section 5.3 of the regulations.

The motion was seconded by Commissioner Haggarty. After a roll call vote, the motion passed unanimously with seven voting YEA.

- C. Petition 06-22: Site Plan Modification at 33 Charles Street, Applicant, Contact, and Owner, Gary Weber and Dorine Carroll.

Withdrawn

Chairman Pane returned to the table and Commissioner Droz returned to alternate status.

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

- A. Petition 09-22: Special Permit (Sec. 3.15.3) To allow a restaurant in the B-BT Zone at 85 Kitts Lane, Applicant Contact and Owner: Dale Hume-Rimai.
- B. Petition 07-22: Special Permit (Sec. 3.19) to allow a residential development in the PD Zone at 35, 67, and 69 Culver Street and 258 Deming Street, Applicant: AR Building Co., Inc., Owner: RDTHREE, LLC. Contact Bongiovanni Group, Inc.
- C. Petition 08-22: Site Plan Approval at 35, 67, 69 Culver Street and 258 Deming Street, Applicant AR Building Co. Owner: RDTHREE, LLC. Contact Bongiovanni Group, Inc.

Renata Bertotti: We have a couple of things on our scheduling agenda. We are scheduling a restaurant that is proposed at 85 Kitts lane. There is a proposal for a residential development, this is a subdivision, it's essentially off of the Church Street area, but it is also, the access in kind of off of Rock Hole Lane. Then we have the proposal for development on Culver Street that is scheduled for a hearing coming up as well. So, we have these three things coming up, all in March.

If you look at the future agenda that is posted on line, the first meeting in March we will have the zoning regulation amendment that is proposed for the PD Zone that is a petition that came from a town resident. The restaurant proposal and then there is a site plan modification, a small site plan modification proposed for the Costello Road property that was recently approved by the Commission. There is a couple applications in front of the Conservation Commission including this open space subdivision that is going to be before the Conservation Commission as well. That is scheduled for March 15th. Then, tentatively, on the second meeting in March we are looking at this open space subdivision proposal, then the Culver Street development proposal, a special permit and site plan, and then 3333 Berlin Turnpike has a sign permit application.

XI. TOWN PLANNER REPORT

Renata Bertotti: I want to talk to you about scheduling, I have started preparing revisions to the accessory apartments, we had a couple of special meetings on that, and we decided we were going to do that, so I started drafting proposed amendments to the accessory apartment

regulations. I plan on submitting that application, I'm hoping to be able to submit that in early March. If I am able to do that before the first meeting in March, we might have a hearing on the regulation amendment in, first meeting in April. If we hold a hearing on the first meeting in April, on revisions to the accessory apartments, that gives us just about enough time to hold hearing in front of the Planning Commission for the opt out, which I really suspect, once you look at the accessory apartments, we are very likely then to still hold hearings for the opt out provisions in May, and then that again that lets us have meetings with the Town Council for the opt out process in June, hopefully by July, late July, we should have adopted accessory apartment revised regulations and hopefully they will be finished with the opt out process by late July, provided everything goes smoothly and we don't have, it is all dependent on how many hearings we have and what other things we have on our agenda. With that in mind, I really hope, if I am done with that by late July, we can focus on some other things and maybe get some other important projects that we can work on. So, that is my most immediate agenda. I'm also working on the character, I told you I was going to come to you with some proposals, perhaps language for the character of the neighborhood, so I had drafted some preliminary language and I will bring that to you for the first preliminary discussion and review at the first meeting in March. So we will start looking into that, and that could be tied into ultimately the whole accessory apartments and opt out process because it just makes sense to talk about those two things together. So, you will have kind of like a parallel topic. That is my report, I will end it there.

Chairman Pane: Thank you Renata, do any of the Commissioners have any questions concerning Renata's report? Are there any questions for the Town Planner?

XII. COMMUNICATIONS

Chairman Pane: We have been provided with the CRCOG letters. Are there any questions about those?

XIII. PUBLIC PARTICIPATION (For items not listed on the agenda; speakers limited to two minutes.)

Gail Budrejko, 21 Isabelle Terr: This is just a question, when Renata said something about an open space subdivision. Can you just explain what that is please? Thank you.

Renata Bertotti: So under our zoning regulations we have provisions that in certain zoning districts we allow subdivisions that are called essentially an open space subdivision, so for example, you are allowed to have a subdivision that is in an R-20 Zone and R-12 densities, so you can have smaller lots and smaller frontage requirements as long as you dedicate a certain amount of space to open space. It's essentially like clustering the lots a certain way, and dedicating a certain amount of land as open space. So that is what it is, it is a provision of the zoning regulations that specifically regulates that kind of development and requires a special permit.

Chairman Pane: Anyone else from the public?

XIV. REMARKS BY COMMISSIONERS

None

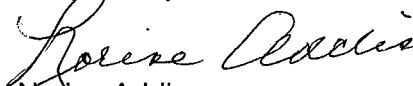
XV. CLOSING REMARKS BY THE CHAIRMAN

Chairman Pane: I want to thank everybody and thank the staff and thank Vice-Chairman Claffey for doing a fantastic job running the meeting.

XVI. ADJOURN

Commissioner Woods moved to adjourn the meeting. The motion was seconded by Commissioner Claffey. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Norine Addis".

Norine Addis,
Recording Secretary